

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Greater Hyderabad Municipal Corporation – Writ Petition in 27634 of 2008 & 14937 of 2009 – Implementation of the orders for reinstatement into service of Sri Syed Afzal Medhi, Sri Mohd. Ali Ghori and Sri M. Sai Prabhu – Permission accorded – Orders – Issued.

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MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (F1) DEPARTMENT

**G.O.Ms.No. 446**

**Dated the 12<sup>th</sup> October, 2010.**

**Read the following:-**

1. G.O.Ms.No.287, MA&UD(F1)Department, dated 21.04.2009.
2. From the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad letter No.2456/LWS/B3/GHMC/2010/539, dated 19.8.2010.

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**ORDER:**

In the letter 2<sup>nd</sup> read above, the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad has stated that Sri Syed Afzal Mehdi, Sri Mohd. Ali Ghori and Sri M. Sai Prabhu have submitted applications along with the orders of the Hon'ble High Court in W.P.Nos.27634/08 and 14937/09, dated 05.05.2009 and requested to reinstate them into service as Section Writer or any equivalent post. He has further informed that the above applicants were engaged during the year 1989 and on completion of work their services have been terminated. Aggrieved upon the termination the above applicants filed I.D.Nos.189, 190 and 191 in the Labour Court. The Labour Court dismissed their applications. The applicants filed W.P.Nos.27634/08 and 14937/09 in the Hon'ble High Court of Andhra Pradesh. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad has further stated that earlier Syed Qudrathullah Hussaini, Sri P. Srinivas Yadav and Sri M.A. Hai has filed ID in the Labour Court and based on the orders of Hon'ble High Court, Government vide G.O. at reference 1<sup>st</sup> read above, issued orders to reinstate all the above 3 applicants and also permitted to terminate their services in accordance with the Law duly following the procedure laid down under section 25-F of I.D. 1947 when their services are not required. Accordingly, the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad has reinstated Syed Qudrathullah Hussaini, Sri P. Srinivas Yadav and Sri M.A. Hai into service as Class-IV employees and posted in the existing vacancies.

2. The Commissioner, GHMC has further stated that in the case of applicants also the Hon'ble High Court has passed the common order in W.P.Nos.27634/08 and 14937/09 stating that to reinstate the petitioners and if thereafter, the services of the petitioner are not required, it will be open to the respondent authority to terminate his services in accordance with law. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad has also obtained the opinion of the Standing Counsel and requested the Government to issue suitable instructions as deemed fit in the matter.

3. In the order dated 05.08.2009 in W.P.No.27634/08 filed by Sri M. Sai Prabhu & Sri Md. Ali Ghori, and in order dated 05.08.2009 in W.P.No.1437/09 filed by Syed Afzal Mehdi, GHMC, the Hon'ble High Court of A.P. has issued the following directions:-

- (1) When the matter is taken for hearing both the counsel represented that this matter is squarely covered by the order of a learned single Judge of this court in W.P.No.15650 of 2003 dated 15.04.2008 as confirmed by a division bench of this court in W.A.No.1118 of 2008 and batch dated 16.09.2008.
- (2) In the light of the said consensus arrived at between the parties, this court is of the view that the impugned order in this Writ Petition is hereby set aside and the respondent authorities are hereby directed to reinstate the petitioners and if thereafter the services of the petitioners-workmen are not required, it will be open to the respondent authority to terminate their services in accordance with law.

4. After careful examination of the matter and in compliance with the directions of the Hon'ble High Court of A.P. above, Government hereby accord permission to the Commissioner, GHMC, Hyderabad to reinstate the three petitioners namely Sri Syed Afzal, Sri Mohd. Ali Ghori and Sri M. Sai Prabhu into service GHMC, Hyderabad. If thereafter, the services of the petitioners workmen or not required, the Commissioner, GHMC, Hyderabad may take necessary action to terminate their services in accordance with Law duly following the procedure laid down under Section 25-F of I.D. Act of 1947.

5. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**PUSHPA SUBRAHMANYAM,**  
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.

Copy to:

The Petitioners through the Commissioner, GHMC, Hyderabad.

The Government Pleader for MA&UD, High Court of A.P., Hyderabad.

// Forwarded By Order //

SECTION OFFICER.